

Memorandum  
No. 600-1-2

01 March 2002

Personnel – General  
ALTERNATIVE WORK SCHEDULE

1. Purpose. The purpose of this memorandum is to establish the policies and procedures for operating under the Alternative Work Schedule. For additional guidance on hours of duty refer to the Department of Defense (DOD) Civilian Personnel Manual at <http://www.cpms.osd.mil/cpm/cpm.html>.
2. Applicability. This memorandum applies to all Headquarters USACE Staff Elements.
3. Distribution Statement. Approved for public release; distribution is unlimited.
4. References.
  - a. 5 USC 6101-6133.
  - b. 5 CFR 610, Subpart D.
  - c. DODFMR VOL 8.
  - d. DOD Civilian Personnel Manual, Chapter 600, subchapter 610.
  - e. Labor-Management Relations Agreement, HQUSACE and AFGE Local 4055, dated 27 February 1997.
5. Policy.
  - a. The Headquarters, USACE will participate in the Alternative Work Schedule Program by operating a variation of the Flexible Work Schedules (FWS) and Compressed Work Schedules (CWS) matrices described in Appendices A and B. Supervisors should utilize this program to the fullest extent to enhance the quality of worklife for our employees. Any exclusions or limitation of employee's participation must be based on but not limited to, reductions in productivity, organizational efficiency, or mission accomplishment; a diminished level of services furnished to customers; an increase in operation cost or observed abuses of the program, and must be approved by Directors and Office Chiefs.

b. Implementation of alternative work scheduling must not disrupt the operations or impede efficient HQUSACE mission accomplishment. Supervisors are responsible for ensuring that their office is open for business and adequately staffed from 0700 to 1700, Monday through Friday.

c. Alternative work schedules must include core hours, which are from 0900 –1500. These are the hours during the duty day (excluding lunch period) when all employees, regardless of their work schedule, must be present or on approved leave.

d. Supervisory personnel are authorized to grant break periods during regular work hours.

e. Lunch periods during which the employee is entirely free of duty may not be considered duty time and must be scheduled outside the hours established for the daily tours of duty. Employees may not work through lunch breaks and leave early. A lunch period is not considered hours of work. Therefore, if an employee leaves work early, the employee has not worked full 8 hours and should be charged leave for that time.

6. General. The Alternative Workweek Schedule includes both flexible and compressed work schedules. Supervisors are responsible for approving individual work schedules and for ensuring office coverage is adequate to meet work needs.

7. Guidance.

a. Flexible Work Schedules (FWS) The FWS for a full-time employee has an 80-hour bi-weekly work requirement which allows an employee to determine his or her own schedule within the limits set by the supervisor. The FWS for a part-time employee has a bi-weekly basic work requirement of *less* than 80 hours which allows an employee to determine his or her own schedule within the limits set by the supervisor. The two requirements of any FWS program are: (1) employees must be present during core hours; and (2) employees must work the number of daily hours for which contracted. Beyond these minimal requirements, the precise working hours can be established in whatever way is consistent with accomplishment of the office's operational needs, the wishes of the employee, and any legal or regulatory restrictions. The two authorized flexible work schedules at HQUSACE are:

(1) Flexitour. This is a type of flexible work schedule in which an employee may chose to vary his or her times of arrival to and departure from the work site consistent with the duties and requirements of the position. Flexible hours at HQUSACE are from 0600-0900 and from 1500-1800.

(2) Variable Workweek. This is a type of flexible work schedule containing core hours on each workday in the bi-weekly pay period which a full-time employee has a basic work requirement of 80 hours for the bi-weekly pay period. An employee may vary the number of hours worked on a given workday or the number of hours each week within the limits established by this OM.

b. Compressed Work Schedules (CWS). A CWS for a full-time employee has a basic work requirement of 80 hours in a bi-weekly period scheduled by the supervisor for less than 10 workdays. A CWS for a part-time employee has a basic work requirement of *less* than 80 hours bi-weekly scheduled by the supervisor for less than 10 workdays that may require the employee to work more than 8 hours in one day. All compressed work schedules will be arranged in such a way that employees on these schedules will fulfill their basic work requirement in less than 10 weekdays during the bi-weekly pay period. Two common types of compressed work schedules are: a 4-day workweek which allows the employee to work four 10-hour days in a week or a 5-4/9 plan which permits an employee to work eight 9-hour days and one 8-hour day over two weeks to comprise 80 hours over a pay period. Although supervisors may change or stagger the arrival and departure times of employees, there are no provisions for employee flexibility in reporting or quitting times under a CWS program.

c. Basic Work Requirement. Employees on FWS are required to work 8 hours, excluding lunch period, Monday through Friday, . Employees on CWS are required to complete a basic 80-hour biweekly work requirement within the pay period IAW approved schedule. Completion of the daily tour of duty may consist of actual hours worked or any combination of hours worked and approved use of leave or credit hours. Part-time employees are responsible for completing the number of hours scheduled for each workday. -

d. Tour of Duty. Under the AWS program the tour of duty comprises all hours and days for which core and flexible hours have been designated. The tour of duty defines the limits within which an employee must complete his or her basic work requirement. Individual tours of duty must be compatible with all the requirements of this memorandum. Under the AWS, a tour of duty from 0600-1430, for example, could not be authorized because it does not include all of the core hours. A tour of duty from 0600-1500 with a 1-hour lunch period, however, could be authorized because it is compatible with all the requirements. Under a compressed work schedule or other fixed schedule, tour of duty is not flexible.

e. Overtime. For employees under FWS programs, overtime hours are all hours of work in excess of 8 hours in a day or 40 hours in a week that are officially ordered in advance by management. With respect to CWS programs, overtime hours refer to any hours in excess of those specified hours for full-time employees that constitute the compressed work schedule. For part-time employees, overtime hours are hours in excess of the compressed work schedule for a day (but must be more than 8 hours) or, for a week (but must be more than 40 hours).

f. Credit Hours. Credit hours are non-overtime work hours which an employee elects to work in excess of the basic work requirement that will be applied to subsequent workday, workweek, or bi-weekly pay period.. There is no legal authority for credit hours under a CWS program. The law provides for credit hours only for flexible work schedules. See 5 U.S.C. 6121(4).

(1) Credit hours may be worked at the election of the employee consistent with the requirements of this memorandum and with supervisory approval. They are distinguished from overtime hours in that they are not officially ordered and approved in advance by management.

(2) Credit hours may be earned from 0600-0900 and 1500-1800, Monday through Friday. Credit hours may be accumulated and carried over to succeeding pay periods in  $\frac{1}{4}$  hour increments, up to a maximum of 24 hours for full-time employees and one-fourth the hours in a part-time employee's bi-weekly schedule. Credit hours in excess of the maximum carryover are forfeited.

(3) Credit hours may not be accumulated when their use would result in annual leave forfeiture at the end of the leave year.

(4) Use of credit hours is restricted to those that have already been earned and are to be counted as part of the basic work requirement to which they are applied. For example, an employee may not take credit hours on Monday for hours that he/she plans to earn later in the week or pay period.

(5) Credit hours shall not be used by an employee to create or increase entitlement to overtime pay.

(6) Supervisors are responsible for ensuring that work is performed while credit hours are being earned.

(7) When an employee is no longer subject to the FWS program utilizing credit hours, the employee must be paid for accumulated credit hours at his or her *current* rate of pay. Payment for accumulated credit hours is limited to a maximum of 24 hours for a full-time employee. For a part-time employee, the limit is one-quarter of the employee's bi-weekly work requirement. An employee may not be compensated for credit hours for any other reason (e.g., excess unused credit hours that cannot be carried forward into the next pay period).

(8) An employee may not be paid overtime pay, Sunday premium pay, or holiday premium pay for credit hours. Credit hours must always be part of the employee's non-overtime basic work requirement.

(9) An employee may not earn credit hours for travel. Travel itself does not meet the definition of credit hours in 5 U.C.S. 6121 (4).

(10) Credit or compensatory time may not be earned when payment of extra hours at overtime rates would be improper. For example, an employee whose pay during any pay period is limited to the maximum rate payable for a GS-15 may not earn credit hours. Additionally, if an employee will be paid for credit hours worked, that payment will not exceed one and one-half the hourly rate of basic pay at the minimum applicable rate for a GS-10.

(11) SES members are prohibited from earning credit hours (5 CFR 610.408).

g. Time and Attendance Reporting.

(1) Employees may request a flexible work schedule from their supervisor showing their proposed hours of duty for the forthcoming pay period. The supervisor will modify, approve, or disapprove the requested schedule and notify the employee. Based upon the approved schedules, employees will document their arrival and departure times (including lunch period) on ENG Form 4704, Alternate Work Schedule Time Record and certify as to the accuracy of the data at the end of the pay period and submit it to their supervisor.

(2) Supervisors are responsible for reviewing, approving, and signing ENG Form 4704 and providing it to the timekeeper. ENG Form 4704 will become a part of the official time and attendance records and should be filed along with documents supporting the bi-weekly pay period.

FOR THE COMMANDER:



ROBERT CREAR  
Colonel, Corps of Engineers  
Chief of Staff

2 Appendices

APP A - HQUSACE

Approved Compressed  
Work Schedules

APP B - Comparison of

Flexible and Compressed Work  
Schedules

APPENDIX A  
HQUSACE Approved Compressed Work Schedules

FOUR-DAY WORK WEEK		5/4-9 COMPRESSED PLAN
<p>Basic Work Requirement</p> <p>A full-time employee must work 10 hours a day, 40 hours a week, and 80 hours a biweekly pay period. The supervisor determines the number of hours a part-time employee must work in a 4-day work-week and the number of hours in a biweekly pay period.</p>		<p>Basic Work Requirement</p> <p>A full-time employee must work eight 9-hour days and one 8-hour day for a total of 80 hours in a biweekly pay period. The supervisor determines the number of hours a part-time employee must work in a 9-day biweekly pay period.</p>
<p>Tour of Duty</p> <p>The "tour of duty" is established by the supervisory and is limited to four 10-hour days.</p>		<p>Tour of Duty</p> <p>The "tour of duty" is established by the supervisor and is less than 10 workdays in a biweekly pay period.</p>
<p>Overtime Work</p> <p>Overtime work is work ordered or approved in advance by management and is in excess of the compressed work schedule's basic work requirement.</p>		<p>Overtime Work</p> <p>(See Four-Day Workweek.)</p>

APPENDIX B  
A Comparison of Flexible and Compressed Work Schedules

Flexible Work Schedules	Compressed Work Schedules
<p>a. Basic Work Requirement</p> <p>The basic work requirement for a full time employee is 80 hours in a biweekly pay period. Supervisors may also establish daily or weekly work requirements. The supervisor determines the number of hours a part time employee must work in a specific period. Supervisors may permit employees to complete their basic work requirement in less than 10 workdays.</p>	<p>a. Basic Work Requirement</p> <p>A full time employee must work 80 hours in a biweekly pay period and must be scheduled to work on fewer than 10 workdays. A part-time employee has a fixed schedule of fewer than 80 hours in a biweekly pay period and must be scheduled to work on fewer than 10 workdays.</p>
<p>b. Tour of Duty</p> <p>The "tour of duty" defines the limits within which an employee must complete his or her basic work requirement.</p>	<p>b. Tour of Duty</p> <p>The tour of duty is defined by the fixed compressed work schedule established by the supervisor.</p>
<p>c. Credit Hours</p> <p>Hours may be worked in excess of the basic work requirement at the option of the employee in order to vary the length of the workday or workweek. Supervisory approval is required to earn/use credit hours.</p>	<p>c. Credit Hours</p> <p>The law provides credit hours only for flexible work schedules. There is no legal authority for credit hours under a compressed work schedule program. See 5 U.S.C 6121(4)</p>
<p>d. Overtime Work</p> <p>Overtime work consists of hours of work that are officially ordered in advance and in excess of 8 hours in a day or 40 hours in a week, but does not include hours that are worked voluntarily, including credit hours, or hours that an employee is "suffered or permitted" to work which are not officially ordered in advance. (See 5 CFR 551.401(a)(2).)</p>	<p>d. Overtime Work</p> <p>For a full-time employee, overtime work consists of all hours worked in excess of the established compressed work schedule/ For part-time employees, overtime must be hours in excess of the compressed work schedule for the day (more than at least 8 hours) or for the week (more than at least 40 hours).</p>

APPENDIX B  
A Comparison of Flexible and Compressed Work Schedules  
(continued)

Flexible Work Schedules	Compressed Work Schedules
<p>e. Compensatory Time Off</p> <p>A supervisor may at the request of an employee, approve compensatory time off in lieu of overtime pay for non-SES employees. Under title 5, employees who earn more than GS-10/10 pay, may be required to take compensatory time instead of receiving overtime pay.</p>	<p>e. Compensatory Time Off</p> <p>as defined in 5 U.S.C 5541(2) or by a prevailing rate employee as defined in 5 U.S. C 5342(a)(2), but may not be approved for an SES member. Mandatory compensatory time off is limited to FLSA-exempt employees (who are not prevailing rate employees) whose rate of basic pay is greater than the rate for GS-10 Step 10.</p>
<p>j. Excused Absence</p> <p>Employees only earn credit hours for work in excess of 8 hours regardless of when they are excused.</p>	<p>j. Excused Absence</p> <p>Employees are only excused for the hours they are regularly scheduled to work.</p>
<p>k. Temporary Duty</p> <p>The supervisor may allow an employee covered by a flexible work schedule program to continue the existing schedule, modify that schedule, or require him or her to. Supervisors may find it advisable to establish procedures to revert employees to standard fixed schedules when traveling.</p>	<p>k. Temporary Duty</p> <p>(Same as Flexible Work Schedules)</p>